

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LEE PATRICK JOHNSON,

Plaintiff,

CASE NO. C17-389-JLR-BAT

v.

MICHAEL ALLEN,

Defendant.

**ORDER DISMISSING CLAIMS
AND DEFENDANTS**

The Court, having reviewed plaintiff's original and amended complaint (Dkts. 4, 15), the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, does hereby find and **ORDER**:

(1) The Court **ADOPTS** the Report and Recommendation.


(2) With the exception of plaintiff's claim concerning the opening, copying, and distributing to Deputy Prosecuting Attorney Joseph Marchesano of plaintiff's letter mailed on May 10, 2016 to Freda Hayes, all other claims are **DISMISSED without prejudice** for failure to state a claim on which relief can be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).

(3) Defendants Sgt. Schneider, Major Hyatt, Director W. Higgs, and King County are **DISMISSED** from this action.

(4) This matter is **RE-REFERRED** to Judge Tsuchida for further proceedings.

1 (5) The Clerk of Court is directed to send copies of this Order to plaintiff and to Judge
2 Tsuchida.

3 DATED this 18th day of May, 2017.

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5 JAMES L. ROBART
6 United States District Judge
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